Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

Minutes October 14, 2011

A meeting of the Planning Commission of the City of Saint Paul was held Friday, October 14, 2011 at 8:30 a.m. in the Conference Center of City Hall.

Commissioners

Mmes. Halverson, Perrus, Reveal, Thao, Wang, Wencl; and

Present:

Messrs. Commers, Connolly, Fernandez, Gelgelu, Kramer, Nelson, Ochs, Oliver,

Schertler, Spaulding, Ward, and Wickiser.

Commissioners

Mmes. *Merrigan, and *Porter.

Absent:

*Excused

Also Present:

Donna Drummond, Planning Director; Lucy Thompson, Patricia James, Kate Reilly, Sarah Zorn, Merritt Clapp-Smith, Luis Pereira, Anton Jerve, Ryan Kelley,

Martin Schieckel, and Sonja Butler, Department of Planning and Economic

Development staff.

I. Approval of minutes September 30, 2011.

<u>MOTION</u>: Commissioner Ward moved approval of the minutes of September 30, 2011. Commissioner Thao seconded the motion. The motion carried unanimously on a voice vote.

II. Chair's Announcements

Chair Commers announced that according to the by-laws of the commission the election for officers will be held in January 2012 and he will be forming a nominating committee in the coming weeks. He also announced that when his term expires at the end of the year he will be leaving the Commission. Anyone interested in serving on the nominating committee should let him know. Interest in serving as an officer of the commission would preclude serving on the nominating committee, so he is looking for commissioners not interested in serving as an officer but who have interest in the long term leadership and direction of the commission.

III. Planning Director's Announcements

Donna Drummond reported that the City Council upheld the appeal of the Union Park District Council regarding the 650 Pelham site plan. The reasoning seemed to be that an industrial use there could be appropriate if improvements were made to the site plan. The City Council also approved a resolution to change the name of the District 6 North End Planning district to North End/South Como, which is more descriptive of the area.

IV. Zoning Committee

STAFF SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

One item came before the staff Site Plan Review Committee on Tuesday, October 11, 2011:

■ Nova Academy at 1455 Victoria Way, a new school building and parking lot.

NEW BUSINESS

11-278-491 Wings Financial Credit Union – Conditional Use Permit to provide off-street parking that exceeds the permitted maximum, and variance of requirement that surface parking and entrance drives occupy no more than 50% of the street frontage. 1798 7th Street West, NE corner of W 7th and Montreal. (*Merritt Clapp-Smith*, 651/266-6547)

Commissioner Nelson reported that the committee addressed two key factors regarding the conditional use permit. One was the unique nature of the site and the other was whether a need to go over the maximum number of parking spaces had been established. The applicant testified that it would be easier to market the vacant space in their building if there was more parking available, but there were no design or traffic or utilization studies of the existing parking lot. Therefore the Committee concluded that the applicant did not prove the need for additional spaces beyond the 170% maximum provided by the zoning code. The resolution before the Commission is slightly modified from the original staff report to reflect the committee's discussion, and the committee moved to deny the conditional use permit and variance.

Commissioner Perrus said that she had some concerns about the language in the original staff report, but the updated resolution clarifies the rationale for the denial. So she will be voting to deny the conditional use permit and variance.

Commissioner Wencl agreed with Commissioner Perrus's comments and stated that she also will be changing her vote to yes.

Upon a question by Commissioner Spaulding, Commissioner Perrus explained that what was missing in the staff report was the specific rationale for denial, which in the resolution is clearly focused on the demonstration of need. She stated that the applicant has an opportunity to come back and reapply and do a better job of explaining that need. In their testimony and in their application they were not clear about needing that parking and the lot currently does not seem to be more than 60% occupied at any given time. So there is no immediate need established, and they couldn't project any numbers in way that would demonstrate a need now.

Commissioner Nelson added that this is the first case to come before the commission for a conditional use permit to provide parking beyond what's allowed. As a conditional use permit the standards are different than those for a variance, and the committee wanted to make sure that the resolution was put together in a way that starts to become a standard that can be utilized on subsequent hearings before the Zoning Committee in order to establish a base line of the type of demonstration of need that they would be looking for.

Commissioner Schertler clarified that if the additional parking had been structured, they could add the supply, but not if it's surface parking.

Commissioner Reveal asked if they were arguing that they needed the additional parking in order to attract additional tenants for the building.

Commissioner Perrus said that, that seemed to be what they were saying, but they were not reflecting that in their documentation.

Commissioner Reveal asked if economic necessity defined by potential tenants or the number of jobs coming in would be a sufficient need demonstration.

Commissioner Perrus said that in some instances economic consideration is something taken into account. It can not be the only reason to grant a permit or variance. Here it wasn't about the economics of marketing the site, it was about the need for additional parking and if they can't say how many employees are going to be in the space or what the actual need is currently on the site, then it is hard to prove that there is an economic consideration involved in this decision.

Commissioner Spaulding said the staff report mentioned demonstration of need through a two step effort: the first being a Travel Demand Management Plan, and the second to demonstrate how that is still not sufficient, before reconsidering the conditional use permit. He asked about the role played by a Travel Demand Management Plan in code as well as in the revised resolution.

Merritt Clapp-Smith, PED staff, explained that the mention of the Travel Demand Management Plan (TDM) is an example of the type of step an applicant might take, it is not saying that it is a step that applicants must take. TDM plans can be useful in assessing the existing pattern of use and the current or potential ability to move trips to car sharing, transit, walking or biking. So there are different ways to address high demand situations before expanding the parking. It would be up to the Planning Commission to determine if that threshold has been met.

<u>MOTION:</u> Commissioner Nelson moved the Zoning Committee's recommendation to deny the conditional use permit and variance. The motion carried unanimously on a voice vote.

#11-273-381 Community Dental Care – Conditional Use Permit to provide off-street parking that exceeds the maximum permitted for a dental clinic. 1236 Arcade Street, NE corner at Hawthorne. (Kate Reilly, 651/266-6618)

Commissioner Nelson said this case is similar to the previous case because the applicant has applied for a conditional use permit to exceed the maximum number of permitted parking spaces. Part of their testimony went toward the demonstration of need. They did parking counts over a period of time, demonstrating a need for additional parking. Some of the clientele that they serve need interpreters. The interpreters do not drive with the clients, so there are multiple people coming for one appointment. The applicants went through a good demonstration with regard to their demonstration of need for additional parking beyond the 170% provided in the code.

Commissioner Spaulding asked what was done along the lines of a TDM plan or if other alternatives were explored.

Commissioner Nelson said that what was received was the study done regarding the number of parking spaces available and the number of clients seen over a period of time. There was not a formal travel demand study. That has not been called out as a requirement, it is simply a suggested method for being able to prove a need for additional spaces.

Commissioner Schertler said that every time someone comes in and exceeds the parking maximum, there is going to be a discussion about need, and that's going to consume a lot of staff time. He expressed concern about the larger picture of reduced City resources and placing greater demands on staff time with these kinds of judgment calls.

Commissioner Ward agreed with Commissioner Schertler that there will be a lot more of these cases, and a lot of the decisions will be based on individual use of space and need, as well as what the community character is.

Commissioner Spaulding asked Chair Commers to explain why he voted against the conditional use permit.

Chair Commers said that all of the questions that are on the table now were on his mind during the meeting, and the main nature of his objection was that the City put in place changes to the code in terms of parking requirements after a very deliberate, data-driven process. As reflected by the discussion this morning, he was concerned that the first tests of the parking maximum portion of the amendments not give too much ground.

<u>MOTION</u>: Commissioner Nelson moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried 17-1 (Spaulding) on a voice vote.

#11-277-446 HandyHelp LLC – Conditional Use Permit for group residential housing under Zoning Code Sec. 65.155. 593 Stryker Avenue, NW corner at King Street. (*Luis Pereira*, 651/266-6591)

<u>MOTION</u>: Commissioner Nelson moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried unanimously on a voice vote.

Commissioner Nelson announced the items on the agenda for the next Zoning Committee meeting on Thursday, October 20, 2011.

V. Comprehensive Planning Committee

Agricultural Zoning Study – Approve resolution to initiate a study. (Anton Jerve, 651/266-6567)

Commissioner Reveal said that the action for today is the approval of the resolution regarding the Urban Agricultural Zoning Study.

Commissioner Fernandez asked what the study would include.

Commissioner Reveal said that this is in the packet; there is a list on the first page with the issues and sections that have been identified to be included in the study. If there is anything missing let Anton Jerve, PED staff person, know.

Commissioner Ward said one thing that he would add is "bee keeping." People in his neighborhood are interested in keeping bees for honey production as well as pollination of flowers and other agricultural means.

Chair Commers said that they can procedurally add that.

Commissioner Thao said that at the Comprehensive Planning Committee meeting Mr. Jerve mentioned that there were some tweaks to the language in the resolution.

Anton Jerve, PED staff, explained that there were a few words in the last sentence that says: make amendments to the zoning code that it should be added "pertaining to urban agriculture" to limit the scope.

Commissioner Ochs recognized compost would be part of the study, but recommended including other forms of resource harvesting, such as water harvesting and recycling.

Mr. Jerve said that it could be they would have to keep the study to issues related to the zoning code, some of that may be building code, in terms of harvesting rain water, etc. The committee can discuss it and make recommendations for DSI to consider.

Commissioner Reveal suggested that if commissioners think of other urban agriculture issues, they should let staff know.

<u>MOTION</u>: Commissioner Reveal moved the Comprehensive Planning Committee's recommendation to approve the resolution initiating a zoning study. The motion carried unanimously on a voice vote.

VI. Regional Business Plan and Related Efforts – Informational presentation by Chair Jon Commers.

Chair Commers said he has been working on an effort called "The Minneapolis Saint Paul Metropolitan Business Plan" over the last 15-18 months. It is an effort to better understand the regional economy and how it fits into a larger international context, determine what we're doing well and what we're not doing well, and develop strategies to improve the regional economy.

Since 1970 the urbanized territory in our region has grown 50% faster then our population. Fewer than half of our African American and Hispanic students graduate from high school in four-years. At the same time we earn college degrees at the country's 8th highest rate, 38% have a degree and nearly 70% of us have some credentials beyond high school. In our region wages paid to people working in the strongest traded industry cluster exceed the regional average by 37% and 28% of us work in those kinds of clusters. These seem like disconnected facts, but they are in fact all connected to the story of how our region is doing.

The work of the Metropolitan Business Plan was undertaken with the Brookings Institution as a national partner, which worked with three pilot regions nationally. The work has demonstrated

that metro prosperity depends on effective region scale systems whether it's the labor market or the flow of capital or land use on a larger scale. All of these things really are regional by nature. But the work done at the Planning Commission is not necessarily regional but is municipal in scale, and that work influences the course of action on a regional scale. Metropolitan areas are increasingly the focus of economic development both here and abroad. There is a growing sense nationally and internationally that regions are an effective scale to use for intervention.

Chair Commers talked about the four key economic imperatives used to structure this process. The first is to expand exports and how economic development can be focused more on bringing wealth and capital to a region through trade from this region to areas outside of it. This means creating economic activity that expands outside of the metro and that is the most effective way to create long term jobs that create ripple affects in that locally traded sector. Second is to support the growth of firms that can thrive amid shifting consumer preferences, increasing energy costs, and new regulatory policies associated with climate change. The third is to build on innovations that emerge from both public and private research. And lastly providing a broad base of economic opportunity to citizens producing strong middle class earnings and more income equality. Those are the four key imperatives that every region both here and abroad need to respond to.

The metro scale is the most effective scale for us to address the future, because economic growth generated in metro areas is the combinations of inputs through several systems. There are six categories that Brookings and the three pilot regions put together as layers. They are lenses that need to be looked through to understand how well we are doing or not doing. The six systems or lenses are Industry Clusters, Governance, Human Capital, Information, Innovation and Spatial Efficiency. The region is not uniformly where it needs to be across these six critical systems. The research that he and others undertook for the business plan identified notable strengths in a couple of areas where there are multiple industry clusters that link large and small firms and their workers and investors. Chair Commers also described the key implementation piece of this metro business plan work. Each of the three pilot regions and the seven regions partnering with Brookings to do a second generation of these are tasked with identifying one key intervention that they think would really move the needle on some of the most important areas of challenge for the region. His group, which was public and private, really focused in on this idea of how to better match the assets of a skilled workforce and idea generation with business development.

They are in the process now of exploring the idea of a venture development organization which would address issues where there are a lot of good ideas but not a lot of funding in this market place. The amount of risk capital that's available to early stage businesses has fallen in this region. So the idea of a venture development organization would be to match small entrepreneurs with great ideas with technical assistance and risk capital to move these businesses to a point where they can develop and become more mature and have access to other sources of capital.

Chair Commers concluded by saying we have deep and broad assets in place in this region, with historically strong education, a continued commitment to civic engagement and public work, and a tradition of effective public and private partnerships. However, these assets are not enough to address the four key imperatives. So we have to consider how we use our strengths to develop the next generation of prosperity, not by hoping that our big corporate partners will stay and expand but by seeding the small firms where job creation really takes place. We also need to agree on what are the key inhibitors to future success and use our interventions to solve these issues on a regional scale.

Commissioner Wencl thanked Chair Commers for his presentation and said it gave the commissioners a lot to think about and digest before they can really talk about it.

VII. Neighborhood Planning Committee

Commissioner Wencl announced that the next Neighborhood Planning Committee meeting on Wednesday October 19th has been canceled.

VIII. Transportation Committee

Commissioner Spaulding reported that at their last meeting they discussed the TIGER II applications and there was a presentation and discussion on the Arterial Transitways Corridors Study. They are also seeking a business representative to serve on the Transportation Committee. Interested community members may apply for appointment to the committee, and applications will be accepted through November 14th. Commissioner Spaulding announced the items on the agenda for the next Transportation Committee meeting on Monday, October 17th.

IX. Communications Committee

Commissioner Thao had no report.

X. Task Force Reports

Commissioner Wencl reported that the Near East Side Task Force met on Tuesday and worked through another part of their plan and on Wednesday they had a community meeting with over fifty people. One of the things that was talked about was the interest in organizing a community food co-op. There is a groundswell of people who have come together to work on that.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 9:56 a.m.

Recorded and prepared by Sonja Butler, Planning Commission Secretary Planning and Economic Development Department, City of Saint Paul

Respectfully submitted,

Donna Drummond Planning Director Approved

(Date

Anthony Fernandez

Secretary of the Planning Commission

PED\butler\planning commission\minutes\ October 14, 2011